

# COVINGTON

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By CM/ECF

September 24, 2021

The Honorable Philip M. Halpern  
United States District Judge  
The Honorable Charles L. Brieant Jr. Federal  
Building and Courthouse  
300 Quarropas Street  
White Plains, NY 10601-4150

**Re: *Fabricio v. Lee*, No. 7:16-cv-08731-PMH (S.D.N.Y.)**

Dear Judge Halpern:

We represent Plaintiff Ederick Fabricio (“Plaintiff”) in the above-captioned case. We write on behalf of all parties pursuant to the Court’s September 1, 2021 order (the “Order”) directing the parties to “meet and confer to discuss settlement, resolve outstanding objections to the Proposed Jury Instructions, and combine[] their Proposed Voir Dire submissions.” (Dkt. 200)

In accordance with the Court’s Order, the parties met and conferred on September 21, 2021 at 2:00 p.m. EDT for approximately 30 minutes. The parties resolved all outstanding objections to the Proposed Jury Instructions and agreed to a combined set of Proposed Voir Dire questions. Copies of the revised Proposed Jury Instructions and combined Proposed Voir Dire questions will be filed concurrently with this letter.

The parties also discussed the possibility of settlement on the September 21, 2021 call. Then, on September 24, 2021, Defendants provided a settlement offer that Plaintiff is considering.

We thank the Court for its attention to this matter.

Respectfully submitted,

*S/ William E. O’Neil*

William E. O’Neil

cc: All counsel of record (by CM/ECF)